



Memorandum

**TO: PUBLIC SAFETY, FINANCE &
STRATEGIC SUPPORT COMMITTEE**

FROM: Betsy Shotwell
Roxanne Miller

**SUBJECT: REPORT ON KEY LEGISLATIVE
ITEMS**

DATE: October 9, 2012

Approved

Date

10/11/12

RECOMMENDATION

Accept the staff memorandum dated October 9, 2012, concerning pending State legislation in the Public Safety, Finance and Strategic Support City Service Areas.

BACKGROUND

Included in the Public Safety, Finance and Strategic Support Committee Work Plan for 2012 is the request for a legislative update to be brought forward to the Committee by the City Manager's Office of Intergovernmental Relations.

ANALYSIS – PENDING 2012 STATE LEGISLATION

After the July Summer Recess, the 2012 Legislative Session reconvened on August 6 for the final month of the 2012 Legislative Session in Sacramento to finish the second half of the 2011-12 Legislative Session. The last day for the Appropriations Committees of the Assembly and Senate to meet and report out fiscal bills to the Assembly and Senate Floors was August 17. Between August 20 – 31 only Floor Sessions were held. No legislative committees met other than conference committees and Rules Committees as authorized under the Joint Rules adopted by the Legislature. The last day for any bill to pass was August 31 before the Legislative adjourned. The Final Legislative Recess started at the end of the day.

Governor Brown's deadline to sign or veto bills was September 30. The Governor signed 876 bills and vetoed 120 or 12.05 percent of the 996 bills which passed the Legislature and reached his desk during the 2012 Session. Bills enacted on or before October 1 will take effect January 1, 2013. Bills with an urgency clause will go into effect immediately upon signature or on a date otherwise specified in the bill. The 2011-12 Legislative Session will adjourn *sine die* at midnight on November 30. The 2013-14 Regular Session convenes for an Organizational Session on December 3.

The following is a list of bills introduced in 2012 or carry-over from the 2011 Session in the City's Public Safety, Finance, and Strategic Support City Services Areas and includes both bills San Jose has taken a position on, as well as, a partial list of bills of particular interest to the City. The list also includes bills that we have introduced and bills introduced in 2011 and were carried over to the 2012 Session. All legislation is continually reviewed by IGR, City's Sacramento Office, City departments and the City Attorney's Office to identify bills or new amendments and bring significant bills and amendments forward to the Rules Committee and City Council for adoption of City positions based on the City's 2012 Legislative Guiding Principles, Priorities and Advocacy Issues adopted by the City Council.

I. Public Safety - Law Enforcement and the Courts

AB 1481 (Budget Committee) - Public Safety

Relates to the fee requirement for demanding a jury in a civil case, the removal of specified offenses requiring sex offender registration for certain wards, the deletion of provisions regarding a table of sanctions used in determining discharge consideration for wards by the Department of Corrections and Rehabilitation. (Fiscal)

STATUS: 9/17/2012 - Signed by Governor. Chapter 342, 2012 Statutes.

AB 1496 (Budget Committee) - Criminal Justice Realignment

Requires the State Controller to allocate a specified amount of funds from the Local Revenue Fund 2011 to the Youthful Offender Block Grant Special Account and to allocate a specified percentage to the Juvenile Re-entry Grant Special Account. (Fiscal)

STATUS: 9/28/2012 - Signed by Governor. Chapter 717, 2012 Statutes.

AB 1968 (Wieckowski) - Peace Officers

Authorizes any probation officer or deputy probation officer to carry firearms as determined by the chief probation officer on a case-by-case basis or unit-by-unit basis and under terms and conditions specified by the chief probation officer. Requires certain chief probation officers to develop a policy for arming probation officers and deputy probation officers who supervise high-risk case loads. Defines high risk case load. (Non-fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/22/2012

AB 2031 (Fuentes) - Probation: Community Corrections Program

Adds a rank-and-file deputy sheriff, a rank-and-file probation officer or deputy probation officer, a rank-and-file social worker and a counselor employed by a county alcohol and substance abuse program to the membership of a Community Corrections Partnership. Adds a rank-and-file juvenile probation officer or deputy, a rank-and-file adult probation officer or deputy, a rank-and-file deputy sheriff, and a state parole officer or agent to the membership of the Board of State and Community Corrections. (Fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/24/2012

AB 2127 (Carter) - Work Release

Authorizes a sheriff to permit a participant in a work release program to receive work release credit for documented participation in educational programs, vocational programs, substance abuse programs, life skills programs, or parenting programs. Requires that participation be considered in lieu of performing labor in a work release program. Provides such participation would not limit credit received nor does it require that the participant perform manual labor. (Non-fiscal)

STATUS: 9/29/2012 – Signed by Governor. Chapter 749, 2012 Statutes.

AB 2182 (Torres) - Airport: Firearms: Arrest

Requires a peace officer to arrest a person for violating the provisions of law prohibiting the carrying of concealed firearms when the offense occurs within an airport in an area to which access is controlled by the inspection of persons and property, and the person does not have a valid concealed weapons permit. Requires the officer to confiscate the weapon. Establishes a rebuttable presumption that the area to which access is controlled begins wherever signs have been posted. (Fiscal)

STATUS: 6/26/2012 - In Senate Committee on Public Safety. Failed passage.

Reconsideration granted.

AMENDED: 4/10/2012

AB 2298 (Solorio) - Insurance: Public Safety Employees: Accidents

Provides no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the Highway Patrol, or firefighter, with respect to his or her operation of a private passenger motor vehicle, increase the premium for that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating his or her private passenger motor vehicle in the performance of duties at the request or direction of the employer. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 823, 2012 Statutes.

AB 2312 (Ammiano) - Controlled Substances

Authorizes qualified patients and specified persons to cultivate, acquire, process, possess, transport, sell, and distribute marijuana for medical purposes without being subject to criminal action if they are in compliance with registration requirements. Relates to the production of a false physician's recommendation. Establishes the Medical Marijuana Regulation and Control Act and a related enforcement board. Provides procedures and requirements for registered dispensaries. Authorizes a related use tax. (Fiscal)

STATUS: 6/25/2012 – In Senate Committee on Business, Professions and Economic

AMENDED: 5/25/2012

AB 2366 (Eng) - Vehicles: Equipment Violations: Parking Officers

Amends existing law that provides that the civil penalty for each vehicle equipment violation, including failure to properly display a license plate is the amount established in the Uniform Bail and Penalty Schedule, except that upon proof of correction. Requires an increase in the penalty upon proof of correction. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 5/25/2012

AB 2465 (Campos) - Medical Marijuana: Identification Cards

Makes it mandatory for qualified patient or primary caregiver to hold an identification card to engage in the medical use of marijuana. Requires a medical marijuana cooperative, collective, dispensary, operation, establishment, or provider to have available at all times a copy of the identification card for each person to whom medical marijuana is provided. (Fiscal)

STATUS: 4/17/2012 - In Assembly Committee on Public Safety. Not heard.

AMENDED: N/A

SB 1020 (Budget and Fiscal Review Committee) - Public Safety Realignment

Includes abolishing accounts within the Local Revenue Fund, and money to be transferred to new successor accounts, funding a new program of higher level of service imposed on a local agency by realignment legislation, funding being used in order to receive federal matching funds, county mental health services, trial court security funding, funding for adult protective services and foster care grants, and child welfare services, community corrections, youth offenders, and county social services. (Fiscal)

STATUS: 6/27/2012 - Signed by Governor. Chapter 40, 2012 Statutes.

SB 1210 (Lieu) - Collection of Criminal Fines and Penalties

Requires the court to assess an additional postrelease community supervision revocation restitution fine or mandatory supervisions revocation restitution fine in every case where a person is convicted of a crime and is subject to postrelease community supervision or mandatory supervision, for deposit into the Restitution Fund. Relates to victims rights regarding a restitution order. Relates to sheriffs as collectors. Relates to the referral fines and restitution to the Franchise Tax Board. (Fiscal)

STATUS: 9/29/2012 - Signed by the Governor. Chapter 762, 2012 Statutes.

SB 1303 (Simitian) - Vehicles: Automated Traffic Enforcement Systems

Relates to existing law authorizing the limit line, intersection, or other places where a driver is required to stop to be equipped with an automated traffic enforcement system if the system meets certain requirements. Requires signs identifying the system's location and their continued use. Relates to the information in a notice to appear for a violation. Prohibits revenue generation as a factor for installation. Requires the development of related guidelines and procedures to ensure guideline compliance. (Fiscal)

STATUS: 9/28/2012 - Signed by Governor. Chapter 735, 2012 Statutes.

SB 1310 (Simitian) - Vehicles: Electronic Wireless Communications

Requires the Department of Motor Vehicles to include a test of the applicant's understanding of the distractions and dangers of handheld cellular phone use and text messaging while operating a motor vehicle during a driver's license testing. Increases the base fines and fines for any subsequent violation and assesses a violation point for a 2nd or subsequent violation. (Fiscal)

STATUS: 9/28/2012 - Vetoed by Governor.

AMENDED: 8/20/2012

SB 1330 (Simitian) - License Plate Recognition Technology: Information

Relates to license plate data captured by license plate recognition technology. Requires compliance with all applicable statutory and constitutional requirements and disclosure to a law enforcement agency only pursuant to a search warrant. Requires the agency that obtains data through such warrant to notify the person whose information is disclosed that he or her records have been obtained. Authorizes a person whose information is incorrectly sold to bring an action for damages. (Fiscal)

STATUS: 6/07/2012 - In Senate, From Third Reading. To Senate Inactive File.

AMENDED: 5/29/2012

SB 1351 (Rubio) - Peace Officers

Relates to existing law governing the scope and authority of peace officers. Provides that a peace officer also includes a correctional officer who is employed by a city, county, or city and county which operates a facility that provides housing for inmates sentenced to county correctional facilities, who has the authority and responsibility for maintaining custody of inmates sentenced to or housed in that facility and who performs tasks related to the operation of that facility. (Fiscal)

STATUS: 6/28/2012 – Signed by Governor, Chapter 68, 2012 Statutes.

SB 1387 (Emmerson) - Metal Theft

Prohibits any junk dealer or recycler from possessing a fire hydrant or fire department connection, including bronze or brass fittings or parts, a manhole cover or lid, or any part of that cover or lid, or a backflow device and connections to that device, that was owned by a public entity or private utility, without a written certification on the letterhead of the entity that owns or previously owned the material and that the entity has sold such material. Provides for a criminal fine. (Non-fiscal)

STATUS: 9/27/2012 - Signed by Governor. Chapter 656, 2012 Statutes.

SB 1462 (Leno) - County Sheriffs: Release of Prisoners: Medical Release

Authorizes the release of a prisoner from a county correctional facility after conferring with a physician if the sheriff determines that the prisoner would not reasonably pose a threat to public safety and the prisoner is deemed to have a specified life expectancy. Authorizes the sheriff to request the court to grant medical probation or to resentence a prisoner to medical probation. Requires participating counties to pay the nonfederal share of the Medi-Cal costs and to adopt a process to fund that share. (Fiscal)

STATUS: 9/30/2012 – Signed by Governor. Chapter 837, 2012 Statutes.

II. Public Health and Safety

AB 801 (Swanson) - Illegal Dumping and Code Enforcement Officers

Authorizes a code enforcement officer to exercise the power of arrest of a peace officer in the manner described in existing law to the extent necessary to enforce laws related to illegal waste dumping or littering. (Non-fiscal)

STATUS: 9/13/2012 - Signed by Governor. Chapter 298, 2012 Statutes.

AB 1616 (Gatto) - Food Safety: Cottage Food Operations

Includes a cottage food operation that is registered or has a permit within the private home exemption of the Retail Food Code. Excludes such operation from specified food processing establishment and Sherman Law requirements. Requires such operation to meet specified requirements relating to training, sanitation, preparation, labeling, and permissive types of sales. Establishes various zoning and permit requirements relating to cottage food operations. Requires the food to be identified as homemade. (Fiscal).

STATUS: 9/21/2012 - Signed by Governor. Chapter 415, 2012 Statutes.

AB 1712 (Beall) - Minors and Nonminor Dependents: Out-of-Home Placement

Relates to expanded foster care payments. Includes THP-Plus Foster Care within the definition of a community care facility. Makes nonminor dependents eligible for the court-appointed special advocate program. Relates to CalWORKs aid payments and foster care. Revises the definition of mutual agreement, by specifying the criteria of these agreements applicable to nonminor dependents who are in receipt of Kin-GAP and AFDC-FC payments. Provides for certain exemptions from liability for foster care payments. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 846, 2012 Statutes.

AB 1944 (Gatto) - Emergency Medical Services: EMT-P Discipline

Revises the procedures and requirements for discipline of an EMT-P to require certain determinations or an investigation by the employer and a determination of disciplinary cause, before a denial, suspension, or revocation of a license. Permits only an employer with physician oversight, including by contract, to conduct an investigation. Relates to the referral of information regarding disciplinary cause. Regards the procedures governing and investigation and action against an unemployed EMT-P. (Fiscal)

STATUS: 8/16/2012 - In Senate Committee on Appropriations. Held in committee.

AMENDED: 6/28/2012

AB 1991 (Smyth) - Child Care: Exemption from Licensure: Public Recreation

Exempts from licensure, under the Child Day Care Facilities Act, public recreation programs operated as prescribed for kindergarten and grades 1 to 12, that operate only a specified numbers of hours per week during a specified monthly period. (Fiscal)

STATUS: 7/13/2012 - Signed by Governor. Chapter 122, 2012 Statutes.

AB 1965 (Pan) - Land Use

Requires the Department of Water Resources to release floodplain maps and the available data as to the water surface elevation of flooding in urban areas. Provides that the department's issuance of such maps are not subject to the review and approval of the Office of Administrative Law. Provides that the state or any state agency is not liable for any claim based upon the reasonable exercise or performance of a discretionary or ministerial function or duty pursuant to these provisions. (Fiscal)

STATUS: 9/25/2012 - Signed by Governor. Chapter 554, 2012 Statutes.

AB 2149 (Butler) - Elder and Dependent Adult Abuse: Settlement: Gag Order

Provides that an agreement to settle a civil action for physical abuse, neglect, or financial abuse of an elder or dependent adult shall not include any provision that prohibits cooperation with specified local and state public agencies, the defendant's current employer, if the defendant's job responsibilities include contact with elders, dependent adults, or children. Provides that such agreement is void against public policy. (Non-fiscal)

STATUS: 9/27/2012 - Signed by Governor. Chapter 644, 2012 Statutes

AB 2246 (Perez J) - Public Health: Food Access

Requires the State Healthy Food Financing Initiative Council to establish and maintain an Internet Web site that provides prescribed information on actions that the council has taken and funding sources that are available to support access to healthy foods. (Fiscal)

STATUS: 9/22/2012 - Signed by Governor. Chapter 446, 2012 Statutes.

AB 2455 (Campos) - Identity Theft: Local Agencies

Amends existing law that requires any state office, officer, or executive agency that owns or licenses computerized data that include personal information to disclose any breach of the security of the system following a discovery or notification of the breach to any resident whose personal information was, or is reasonable believed to have been acquired by an unauthorized person. Expands the disclosure requirement to apply to a breach of data that is owned or licensed by a local agency. (Fiscal)

STATUS: 5/25/2012 - In Assembly Committee on Appropriations, Held in committee.

AMENDED: 3/21/2012

AB 2559 (Buchanan) - Local Government: Pipeline Projects: Approval

Requires a city, county, or city and county to act on an application by a gas corporation that is a public utility for a ministerial pipeline projects permit within a public street or highway or any other public-right-of-way within a specified time period of determining that an application for the project is complete. Provides an exception. (Non-fiscal)

STATUS: 9/23/2012 - Signed by Governor. Chapter 486, 2012 Statutes.

SB 1162 (Runner) - Animal Control: Tranquilizers

Authorizes an animal control officer or humane officer to possess and administer a tranquilizer that contains a controlled substance to a wild, stray, or abandoned animal with direct or indirect supervision as determined by a licensed veterinarian, provided the officer meets prescribed training and other requirements. (Non-Fiscal)

STATUS: 9/26/2012 - Signed by Governor. Chapter 594, 2012 Statutes.

SB 1241 (Kehoe) - Land Use: General Plan: Fire Hazard Impacts

Revises the safety element requirements for state responsibility areas and very high fire hazard severity zones, under the Planning and Zoning Law. Requires the safety element to be reviewed and updated as necessary to address the risk of fire in those areas and zones. Requires the legislative body of a county to make specified findings before approving a tentative map for an area located in one of those areas or zones. Relates to CEQA guidelines. Requires the state general plan to include these provisions. (Non-fiscal)

STATUS: 9/13/2012 - Signed by Governor. Chapter 311, 2012 Statutes.

SB 1329 (Simitian) - Prescription Drugs: Collection and Distribution Program

Amends existing law that authorizes a county to establish a repository and distribution program under which a pharmacy that is owned by or contracts with the county may distribute surplus unused medications. Requires participating pharmacies and clinics to disclose specified information to the County Health Department. Prohibits certain pharmacies. Requires making the information available to the State Board of Pharmacy. Authorizes licensed facilities and pharmacies to donate unused medications. (Non-fiscal)

STATUS: 9/28/2012 - Signed by Governor. Chapter 709, 2012 Statutes.

CITY POSITION: SUPPORT

SB 1433 (Alquist) - Domestic Violence: Protective Orders

Amends the Domestic Violence Prevention Act that requires a search of specified records is performed to ensure that the proposed subject of a protective order has no prior criminal record or is subject to parole, probation or is the subject of current orders. Requires the search also includes a determination of whether the subject has a registered firearm. Requires a peace officer serving an order to a respondent owning weapons and ammunition to request that they be relinquished to the officer. (Non-fiscal)

STATUS: 9/29/2012 - Signed by Governor. Chapter 765, 2012 Statutes.

SB 1436 (Lowenthal A) - Automated External Defibrillators

Extends indefinitely existing law authorizing the Emergency Medical Services Authority to establish minimum training and other standards for the use of automated external defibrillators and generally providing immunity from civil damages in connection with such devices, and requires person or entities that acquire such devices to comply with maintenance, testing, and training requirements. (Non-fiscal)

STATUS: 6/28/2012 - Signed by Governor. Chapter 71, 2012 Statutes.

III. Strategic Support - Elections, Political Reform, Officers, Conflict of Interests and Public Records

AB 253 (Smyth) - Local Agencies: Accounting

Requires the Controller to prescribe uniform accounting procedures that are applicable only to specified types of special districts. Requires the Controller to prescribe uniform accounting procedures for cities in collaboration with the Committee on City Accounting Procedures which would be created by this bill. Makes various conforming changes. (Fiscal)

STATUS: 6/27/2012 - In Senate Committee on Education. Failed passage, Re-consideration granted.

AMENDED: 6/27/2011

AB 1436 (Feuer) - Voter Registration

Establishes the conditional voter registration for registrants whose information cannot be verified. Authorizes a unique identification number. Increases the maximum fine for election-related crimes for which no fine is prescribed. Requires the county elections official to offer election day conditional voter registration and provisional voting at its permanent offices and to offer same at satellite offices. Requires cancellation of any duplicate registrations that may arise. Provides voter fraud penalties. (Non-fiscal)

STATUS: 9/24/2012 - Signed by Governor. Chapter 497, 2012 Statutes.

AB 1736 (Smyth) - Local Government: Open Meetings

Amends the Ralph M. Brown Act each legislative body of a local agency to provide the time and place for holding regular meetings. Authorizes a local agency legislative body to hold closed sessions with the Governor, and other specified individuals. Requires the legislative body of a local agency that meets in these specified types of a closed session to include additional information in its posted agenda regarding those in attendance. (Non-fiscal)

STATUS: 8/27/2012 - In Senate, Failed to pass floor. Reconsideration granted.

AMENDED: 8/21/2012

AB 1590 (Campos) - Local Government Meetings: Legislative Body: Definition

Amends the Ralph M. Brown Act. Modifies the definition of the term legislative body to include as a board, an assessment appeals board which may meet in closed session, as specified by another law. (Fiscal)

STATUS: 4/25/2012 - Passed Assembly Committee on Local Government, In Committee on Appropriations.

AMENDED: 3/29/2012

AB 1642 (Gordon) - County Recorder: Recordation of Documents

Requires the county recorder to record any document that is authorized or required by local ordinance adopted within that county to be recorded. (Non-fiscal)

STATUS: 7/13/2012 - Signed by Governor. Chapter 94, 2012 Statutes.

AB 1648 (Brownley) - Political Reform Act of 1974: Advertisements

Amends the Political Reform Act of 1974. Requires a candidate or ballot measure appearing in the slate mailer be designated by an asterisk if the mailer organization or committee primarily formed to support or oppose one or more ballot measures that is sending the slate mailer has received payment to include the candidate or ballot measure in the mailer. Relates to media and mailed political advertisement disclosures. Relates to radio, television, and video advertisements. Relates to disclosure Web sites. (Fiscal)

STATUS: 8/20/2012 - Passed the Assembly, In Senate, to Rules Committee.

AMENDED: 8/16/2012

CITY POSITION: SUPPORT

AB 1736 (Smyth) - Local Government: Open Meetings

Amends the Ralph M. Brown Act each legislative body of a local agency to provide the time and place for holding regular meetings. Authorizes a local agency legislative body to hold closed sessions with the Governor, and other specified individuals. Requires the legislative body of a local agency that meets in these specified types of a closed session to include additional information in its posted agenda regarding those in attendance. (Non-fiscal)

STATUS: 8/27/2012 - In Senate. Third Reading File, Failed to passage.Reconsideration granted.

AMENDED: 8/21/2012

AB 2080 (Gordon) - Vote by Mail Ballots

Eliminates the requirement that a vote by mail voter be ill or physically disabled in order to designate a spouse, child, parent, grandmother, grandchild, brother, sister, or a person residing in the same household to return his or her marked ballot. (Fiscal)

STATUS: 9/24/2012 - Signed by Governor. Chapter 501, 2012 Statutes.

SB 1002 (Yee) - Public Records: Electronic Format

Amends the Public Records Act to make technical, nonsubstantive changes to those provisions. Requires the State Chief Information Officer to conduct a study to determine the feasibility of providing electronic records in an open format, and to provide a copy of the study to the chairs of specified legislative committees. (Fiscal)

STATUS: 9/28/2012 - Vetoed by Governor.

AMENDED: 8/20/2012

SB 1003 (Yee) - Open Meetings; Cease and Desist Letters

Amends the Ralph M. Brown Act regarding open meetings. Prohibits a district attorney or an interested person from filing an action for an alleged violation of the act for past actions of a legislative body, unless certain conditions are met, including the submission of a cease and desist letter to the accused body, and the body has refused to issue an unconditional commitment to cease and desist after receiving the letter. Provides the cease and desist commitment contents. Relates to an attorney fee award. (Non-fiscal)

STATUS: 9/28/2012 - Signed by Governor. Chapter 732, 2012 Statutes.

SB 186 (Kehoe) - State Controller

Relates to the duties and responsibilities of the State Controller that include the reporting of financial records by local agencies, the reports of financial transactions of joint powers agencies that issue conduit revenue bonds, the audit or investigation of suspected false or problem reporting by local agencies and the use of a financial review committee. Defines local agency. Raises the forfeiture amount if a local official fails or refuses to file a financial report after receipt of a written notice. (Fiscal)

STATUS: 8/16/2012 - In Assembly Committee on Appropriations, Held in committee.

AMENDED: 6/19/2012

SB 192 (Governance and Finance Committee) - Validations

Enacts the Validating Act of 2012, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. (Non-fiscal)

STATUS: 9/07/2012 - Signed by Governor. Chapter 265, 2012 Statutes.

SB 954 (Liu) - Controller: Offset Payments

Requires the Controller to include within the required calculation of the offset amount due a city or county, any amount owing the person or entity by a state agency on a claim filed by the owner for payment of unclaimed property held by the state. (Fiscal)

STATUS: 9/27/2012 - Signed by Governor. Chapter 650, 2012 Statutes

SB 1090 (Governance and Finance Committee) - Local Government: Omnibus Bill

Relates to school district financing reports, city charter proposals, county boundary descriptions, city sidewalk installation charges, a solar-use easement under a Williamson Act contract, bribery and corruption as abuse of public office, the validity of a local benefit assessment, professional registration of license number under the Subdivision Map Act, water, sanitation and sewer service charges, new city property assessments, and districts under the property and business district law. (Non-fiscal)

STATUS: 9/14/2012 - Signed by Governor. Chapter 330, 2012 Statutes.

SB 1110 (Rubio) - Public Records

Authorizes a state or local agency to charge a fee to cover the direct costs of duplication of a public record. Authorizes a state or local agency to collect a deposit from an entity or individual requesting records prior to engaging in the collection of the records. (Fiscal)

STATUS: 3/01/2012 - In Senate Committee on Judiciary.

AMENDED: N/A

SB 1272 (Kehoe) - Political Party Organization: County Central Committees

Deletes a requirement that county central committee members be elected at every statewide direct primary election. Relates to write-in campaigns and candidates entitlements to receive certificates of election. Permits members to be elected at every presidential primary election. Specifies that a county central committee of any of specified political parties may select its members at any time by holding a caucus or convention or by using any other approved method of selection. (Fiscal)

STATUS: 9/24/2012 - Signed by Governor. Chapter 507, 2012 Statutes.

IV. Strategic Support - Employer-Employee Relations, Pensions, Workers Compensation Reforms

AB 197 (Buchanan) - Public Employees' Retirement

Relates to the Public Employees' Retirement Law. Authorizes a contracting agency and its employees to agree in writing to share the costs of the employer contribution with or without a change in benefits. Prohibits an employer from using impasse procedure to impose member cost sharing. Relates to the County Employees Retirement Law regarding compensation earnable. Excludes from the definition of compensation earnable any compensation paid to enhance a retirement benefit, including payments for unused time. (Non-fiscal)

STATUS: 9/06/2012 - Signed by Governor. Chapter 297, 2012 Statutes.

AB 340 (Furutani) - Public Retirement

Revises the Public Employees' Retirement Law to include defined pension plan retirement formulas, retirement health benefits vesting schedule, and the final compensation determination for retirement. Revises the Teachers' Retirement Law to include creditable compensation definition and the retirement formula. Relates to nonqualified service credit, the refund of retirement payments for removal upon felony conviction, and the prohibition of a variety of payments under the County Employees' Retirement Law. (Fiscal)

STATUS: 9/12/2012 – Signed by Governor. Chapter. 296, 2012 Statutes.

AB 1450 (Allen) - Employment: Discrimination: Status as Unemployed

Makes it unlawful for an employer, an employment agency, or a person who operates an Internet Web site from posting jobs in the state to publish an advertisement or announcement for any job that includes provisions pertaining to an individual's current employment or employment status, subject to civil penalties. Provides that the failure to comply may be grounds for canceling, terminating, or suspending a contract, and debarring the contractor from future state agency contracts for a specified period. (Fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/22/2012

AB 1606 (Perea) - Local Public Employee Organization: Impasse Proceedings

Amends the Meyers-Milias-Brown Act governing collective bargaining for local represented employees. Authorizes an employee organization to request the parties differences be submitted to a factfinding panel within a specified time period after the selection of a mediator. Authorizes the organization, if the dispute was not submitted to mediation, to request the differences be submitted to such panel under certain conditions. Provides this procedural right cannot be expressly or voluntarily waived. (Fiscal)

STATUS: 9/14/2012 - Signed by Governor. Chapter 314, 2012 Statutes.

AB 1687 (Fong) - Workers' Compensation

Relates to the workers' compensation system. Adds information regarding objections by employers to decisions based on employer utilization reviews to prescribed rules and regulations for serving notices that contain information on employees. Authorizes the awarding of attorney's fees to the applicant who prevails in connection with the enforcement of a final award of permanent disability following a medical dispute that arises in the course of the utilization review process. (Fiscal)

STATUS: 9/28/2012 - Vetoed by Governor.

AMENDED: 6/18/2012

AB 1844 (Campos) - Employer Use of Social Media

Prohibits an employer from requiring or requesting an employee or applicant for employment to disclose a user name or password for the purpose of accessing personal social media to access personal social media in the presence of the employer, or to divulge any personal social media. Prohibits an employer from discharging, disciplining, threatening to discharge or discipline, or otherwise retaliating against an employee or applicant for not complying with a request or demand by a violating employer. (Non-fiscal)

STATUS: 9/27/2012 - Signed by Governor. Chapter 618, 2012 Statutes.

AB 2298 (Solorio) - Insurance: Public Safety Employees: Accidents

Provides no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the Highway Patrol, or firefighter, with respect to his or her operation of a private passenger motor vehicle, increase the premium for that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating his or her private passenger motor vehicle in the performance of duties at the request or direction of the employer. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 823, 2012 Statutes.

AB 2451 (Perez J) - Workers' Compensation: Firefighters

Provides that certain proceedings related to the collection of death benefits of firefighters and peace officers may be commenced within, but no later than, a specified number of weeks from the date of injury, and in no event more than a specified time period after the date of death, if specified conditions are met. (Fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/20/2012

SB 827 (Simitian) - Public Employees' Retirement

Relates to the State Teachers' Retirement System, the Public Employees' Retirement System, the Judges' Retirement System, and the Judges Retirement System II. Declares the intent of the Legislature to convene a conference committee to craft responsible, comprehensive legislation to reform state and local pension systems in a manner that reflects both the legitimate needs of public employees and the fiscal circumstances of state and local governments. (Non- fiscal)

STATUS: 9/09/2011 - Passed Senate and Assembly. Returned to Senate., Senate refused to concur in Assembly amendments. Held in Conference Committee.

AMENDED: 9/7/2011

SB 863 (De Leon) - Workers' Compensation

Provides for a mass revision of the workers' compensation laws. Relates to doctors of chiropractic, a specified return-to-work program, labor-management agreements, self-insured employers, surgery, re-training and skill enhancement, home health care services, independent medical review, medical provider networks, billing, liens, language interpretation services, and certain reporting requirements. (Non-fiscal)

STATUS: 9/19/2012 - Signed by Governor. Chapter 363, 2012 Statutes.

SB 987 (Negrete McLeod) - Public Employees Retirement

Provides that all references to spouse, surviving spouse, or marriage in the Public Employees' Retirement Law provisions apply equally to domestic partner or domestic partnership and all rights and responsibilities shall be granted equally thereto. Clarifies the definition of leave of absence. Relates to the quarterly review of the system's assets. Revises the definition of employee. Expands the definition of mandatory furlough. Relates to the building account. Relates to serving without reinstatement. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 833, 2012 Statutes.

V. Strategic Support - Fiscal Issues and Taxation

AB 232 (Perez V) - Community Development Block Program: Funds

Makes changes to eligibility criteria and the requirements developed and used by the Department of Housing and Community Development to allocate funds under the federal Community Block Grant Program to cities and counties. (Fiscal)

STATUS: 9/19/2012 - Signed by Governor. Chapter 386, 2012 Statutes.

AB 345 (Torres) - Redevelopment

Relates to the reporting of audits by redevelopment agencies. Requires each such agency to place tax increment money in a fund for such audits. Limits amounts for administrative costs from the Low and Moderate Income Housing Fund. Provides the minimum amount from that fund for housing assistance. Relates to the offering of funds to the local housing authority. Requires restricting agency project funding if the agency has not replaced removed low- and moderate income housing. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/21/2012

AB 485 (Ma) - Greenhouse Gases

Amends existing law that requires the Public Utilities Commission to require revenues received by an electrical corporation as a result of direct allocation of greenhouse gas allowances to electric utilities to be credited directly to the residential, small business, public transportation agency, and emissions-intensive trade-exposed retain customers of the electrical corporation. Requires the revenues to be credited to public transportation agency customers. Defines public transportation agency. (Fiscal)

STATUS: 8/27/2012 - In Senate, On Third Reading. Re-referred to Committee on Rules.

AMENDED: 8/24/2012

AB 1098 (Carter) - Vehicle License Fees: Allocation

Amends existing law regarding the allocation of motor vehicle license fees. Specifies the order in which the revenues shall be distributed to cities and to the Local Law Enforcement Services Account. Relates to funds used by the Department of Motor Vehicles and the Franchise Tax Board for enforcement of the Vehicle License Fee Law. Prohibits certain funds from being appropriated from the Motor Vehicle License Fee Account. (Fiscal)

STATUS: 9/19/2012 - Vetoed by Governor.

AMENDED: 8/30/2012

AB 1126 (Calderon) - Transaction and Use Tax: Rate

Amends provisions of the Transaction and Use Tax Law that authorizes a district to impose a transactions tax for the privilege of selling tangible personal property at retail at a specified rate, or a multiple thereof, of the gross receipts of the retailer from the sale of all tangible personal property sold by that person at retail in the district and a complimentary tax upon the storage, use, or other consumption of tangible personal property at a specified rate. Decrease those specified rates. (Fiscal)

STATUS: 9/29/2012 - Signed by Governor. Chapter 739, 2012 Statutes.

AB 1411 (Perez V) - Economic Development: Enterprise Zones

Amends the Enterprise Zone Act. Revises various definitions for purposes of the act. Modifies specified requirements for designing and administering enterprise zones, local agency military base recovery areas, and geographically targeted economic development areas collectively. Imposes new requirements on the Department of Housing and Community Development with respect to the enterprise zone program and modifies reporting requirements. Authorizes a fee for applications for each enterprise zone. (Fiscal)

STATUS: 8/27/2012 - In Senate, To Third Reading. Re-referred to Committee on Rules.

AMENDED: 8/24/2012

AB 1484 (Budget Committee) - Community Redevelopment

Includes tolling the time limit for bringing an action under the Community Redevelopment Law, the transfer of housing responsibilities associated with dissolved redevelopment agencies, the review of the transfer of funding and responsibilities to successor agencies, the return of funds improperly spent or transferred to a public entity, the offset of sales and use tax and property tax allocations to the local agency, and the review of the transfer of all assets and funds to a successor agency. (Fiscal)

STATUS: 6/27/2012 - Signed by Governor. Chapter 26, 2012 Statutes.

AB 1532 (Perez J) - Global Warming Solutions Act: Greenhouse Gas Reduction

Relates to monitoring and regulation of greenhouse gas emissions sources. Prohibits certain written findings by the Governor from being subject to judicial review. Requires the moneys in the Greenhouse Gas Reduction Fund to be used for specified purposes. Requires the development of a specified investment plan. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 807, 2012 Statutes.

AB 1585 (Perez J) - Community Development

Makes conforming changes to clarify that specified provisions of the Community Redevelopment Law relating to the Low and Moderate Income Housing Fund apply for purposes of funding administrative and planning costs associated with the implementation of law that authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the fund. (Fiscal)

STATUS: 9/29/2012 – Signed by Governor. Chapter 777, 2012 Statutes.

AB 1692 (Wieckowski) - Bankruptcy: Redevelopment Successor

Revises and recasts the bankruptcy procedures that apply to the neutral evaluation process. Authorizes the evaluator to toll the limitation period from the evaluation process based on specified conditions, and to request and control the process of an independent investigation. Provides that the evaluation process shall end upon a specified circumstance. (Non-fiscal)

STATUS: 5/31/2012 – In Assembly, Fails passage. Reconsideration granted, To Third Reading, Passed Assembly Floor. To Senate.

AMENDED: 5/2/2012

CITY POSITION: OPPOSE

AB 2618 (Ma) - Sales and Use Taxes: Auctions: Vehicles

Provides that a licensed dismantler that sells specified vehicles, motorhomes, or commercial coaches subject to registration or qualification under the Health and Safety Code or the Vehicle Code, and salvage certificate vehicles, or a person making those sales at auction, is presumed to be making a sale at retail, subject to tax and not a sale for resale. Provides that the seller may rebut this presumption. Relates to alternative method to verify a transaction is a valid sale for resale. (Fiscal)

STATUS: 9/29/2012 – Signed by Governor. Chapter 756, 2012 Statutes.

AB 2643 (Ma) - Property Taxation

Relates to property taxation. Eliminates an exception that allows refunds to be applied to delinquent taxes. Limits penalty relief. Provides the percentage of the total tax bill that is acceptable if paid within a specified time period of the taxpayer filing for reassessment. Relates to payment of interest on property tax refunds at a percentage of the county pool apportioned rate. Extends the time the county treasurer has to advise the Controller of the county pool apportioned rate. (Fiscal)

STATUS: 7/23/2012 - Signed by Governor. Chapter 161, 2012 Statutes.

ACA 4 (Blumenfield) - Local Government Financing: Voter Approval

Proposes an amendment to the Constitution to create an additional exception to the 1% limit for a tax rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district. (Fiscal)

STATUS: 8/29/2011 - In Assembly. On Assembly Floor, To Inactive File.

CITY POSITION: SUPPORT/SPONSOR

ACA 23 (Perea) - Local Government Transportation Projects

Proposes an amendment to the Constitution to provided that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of a specified percentage of its voters voting on the proposition, and makes conforming and technical, nonsubstantive changes. (Fiscal)

STATUS: 8/22/2012 – In Assembly, On Assembly Floor, To Inactive File.

AMENDED: 8/20/2012

CITY POSITION: SUPPORT/SPONSOR

SB 192 (Governance and Finance Committee) - Validations

Enacts the Validating Act of 2012, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. (Non-fiscal)

STATUS: 9/07/2012 - Signed by Governor. Chapter. 265, 2012 Statutes.

SB 214 (Wolk) - Infrastructure Financing Districts: Repeal Approval

Recasts the provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and bond issuance. Authorizes the legislative body to create the district. Authorizes a newly created public financing authority to adopt the infrastructure financing plan and issue bonds by resolution. Prohibits certain assistance. Authorizes adoption of joint powers agreements with affected taxing entities. Requires reports. Creates a related committee. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/24/2012

SB 954 (Liu) - Controller: Offset Payments

Requires the Controller to include within the required calculation of the offset amount due a city or county, any amount owing the person or entity by a state agency on a claim filed by the owner for payment of unclaimed property held by the state. (Fiscal)

STATUS: 9/27/2012 – Signed by Governor. Chapter. 650, 2012 Statutes.

SB 1030 (Budget and Fiscal Review Committee) - Property Tax Trust Fund: Educational Revenue

Amends existing law regarding the allocation of property tax revenue for education and redevelopment. Deletes the language requiring that the provision be construed in such a manner so as to not increase any allocations of excess, additional, or remaining Education Revenue Augmentation Funds that would have been allocated to cities, counties, cities and counties, or special districts. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/23/2012

SB 1156 (Steinberg) - Sustainable Communities Investment Authority

Authorizes certain public bodies of a Sustainable Communities Investment Area to form an authority to carryout the Community Redevelopment Law. Requires the authority to adopt Sustainable Communities Investment Plan for the area and to include in the plan a provision for the receipt of tax increment funds provided certain economic development and planning requirements are met. Authorities the entity forming such authority to dedicate revenue to the authority through the plan. Relates to prevailing wages. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/24/2012

SB 1186 (Steinberg) - Disability Access

Requires an attorney to provide written advisory to a building owner or tenant with each complaint or settlement demand for any construction-related accessibility claim. Provides that a violation may subject the attorney to disciplinary action. Requires notification that leased or rental property has been inspected by an access specialist. Updates the responsibilities of the State Commission on Disability Access. Provides for construction liability. Relates to an alternative method of compliance. (Non-fiscal)

STATUS: 9/19/2012 - Signed by Governor. Chapter 383, 2012 Statutes.

VI. Strategic Support - Public Liability and Insurance

AB 328 (Smyth) - Inverse Condemnation: Comparative Fault

Amends an existing law that prohibits the taking of private property without the payment of just compensation and permits a person to maintain an action in the inverse condemnation for the purpose of obtaining compensation for a taking. Provides that if the defendant in an inverse condemnation action makes an offer that the plaintiff does not accept, and the plaintiff fails to obtain a judgment or award, the plaintiff shall not recover the postoffer costs and shall pay the defendant's postoffer costs. (Fiscal)

STATUS: 1/24/2012 – Passed Assembly. In Senate referred to Committee on Judiciary.

AMENDED: 1/24/2012

AB 2274 (Lara) - Vexatious Litigants

Relates to vexatious litigants. Requires a court to order the litigation dismissed, if, after hearing evidence on a motion, the court determines the litigation has not merit. Specifies these provisions only apply to litigation filed in a court by a vexatious litigant subject to a prefiling order who was represented by counsel at the time the litigation was filed and who become a propria persona after the withdrawal of his or her attorney. (Non-fiscal)

STATUS: 9/21/2012 - Signed by Governor. Chapter 417, 2012 Statutes.

AB 2298 (Solorio) - Insurance: Public Safety Employees: Accidents

Provides no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the Highway Patrol, or firefighter, with respect to his or her operation of a private passenger motor vehicle, increase the premium for that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating his or her private passenger motor vehicle in the performance of duties at the request or direction of the employer. (Fiscal)

STATUS: 9/30/2012 - Signed by Governor. Chapter 823, 2012 Statutes.

VII. Strategic Support - Public Works, Telecommunications and Infrastructure

AB 685 (Eng) - State Water Policy: Regional Water Management

Requires all specified relevant state agencies to consider the state policy regarding the right to safe, clean, affordable, and accessible water, when adopting or establishing policies, regulations, and grant criteria, when such actions are pertinent to the use of water as described in existing law. (Fiscal)

STATUS: 9/25/2012 - Signed by Governor. Chapter 524, 2012 Statutes.

AB 904 (Skinner) - Local Government: Parking: Requirements

Prohibits a city or county from requiring a minimum number of off-street parking spaces in transit-intensive areas, according to a specified formula for residential and nonresidential areas. (Non-fiscal)

STATUS: In Senate, amended and Re-referred to Committee on Governance and Finance
AMENDED: 7/5/2012

AB 976 (Hall) - Public Contracts: Consulting: Community Choice

Prohibits a person, firm, or subsidiary thereof, which has been awarded a consulting services contract for advising a public entity on the feasibility of creating a community choice aggregator from submitting a bid for, or being awarded a contract for any work including the procurement of electric supply and renewable energy credits, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract. (Non-fiscal)

STATUS: 9/27/2012 - Vetoed by Governor.

AMENDED: 8/6/2012

CITY POSITION: OPPOSE

AB 1050 (Ma) - Prepaid Mobile Telephone Services: Taxes and Fees

Enacts the Prepaid Mobile Telephony Services Surcharge and Collection Act. Establishes a MTS surcharge based upon a percentage of the sales price of each retail transaction that occurs in the state for prepaid mobile telephony services. Includes the emergency telephone users surcharge and PUC surcharges. Requires sellers to remit the surcharges to the State Board of Equalization. Requires the computation of the emergency users surcharge and board notification thereof. (Fiscal)

STATUS: 8/08/2012 - In Senate Committee on Governance and Finance.

AMENDED: 8/8/2012

AB 1532 (Perez J) - Global Warming Solutions Act: Greenhouse Gas Reduction

Relates to monitoring and regulation of greenhouse gas emissions sources. Prohibits certain written findings by the Governor from being subject to judicial review. Requires the moneys in the Greenhouse Gas Reduction Fund to be used for specified purposes. Requires the development of a specified investment plan. (Fiscal) A related bill is SB 535 (De Leon) relating to climate change which was also signed by the Governor, Chapter 830, 2012 Statutes.

STATUS: 9/30/2012 - Signed by Governor. Chapter 807, 2012 Statutes.

AB 1627 (Dickinson) - Energy: Vehicle Miles Traveled

Requires the Office of Planning and Research to prepare and make available a manual containing specified information designed to be used by local governments, local agencies, and project developers to evaluate and incorporate measures and strategies to reduce vehicle miles traveled in new residential and commercial building projects. Requires recommendations to the Legislature and local policymakers of those measures and strategies. (Fiscal)

STATUS: 4/17/2012 - In Assembly Committee on Business, Professions and Consumer Protection. Not heard.

AMENDED: 4/10/2012

AB 1706 (Eng) - Vehicles: Transit Bus Weight

Provides that specified prohibitions regarding the weight of a vehicle do not apply to a transit bus. Prohibits a publicly owned or operated transit system from procuring through a solicitation process, a transit bus whose gross weight exceeds a specified amount of pounds. Provides exceptions. Requires state regulatory agencies required to promulgate regulations to take into account vehicle weight impacts and the ability of manufacturers and operators to comply with laws limiting the weight of vehicles. (Non-fiscal)

STATUS: 9/29/2012 - Signed by Governor. Chapter 771, 2012 Statutes.

AB 1901 (Jones) - Counties: Construction Projects: Design-Build

Relates to existing law authorizing counties to use alternative procedures known as design-build for bidding on construction projects in the county. Revises the dollar limitation on this authorization so that it applies to projects in excess of a specified amount. (Fiscal)

STATUS: 4/25/2012 - In Assembly Committee on Local Government, Failed passage. Reconsideration granted.

AMENDED: 4/17/2012

AB 1915 (Alejo) - Safe Routes to School Program

Provides that a specified percentage of the funds under the Safe Routes to School Program may be used to assist eligible recipients in making infrastructure improvements, other than schoolbus shelters, that create safe routes to schoolbus stops located outside of the vicinity of schools. (Fiscal)

STATUS: 9/27/2012 - Signed by Governor. Chapter 640, 2012 Statutes.

AB 2144 (Perez J) - Infrastructure and Revitalization Financing Districts

Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the financing of projects in redevelopment projects areas and former redevelopment project areas and former military bases. Authorizes a city legislative body to dedicate funds from the Redevelopment Property Tax Fund to the district. Expands the projects that such district may fund. Imposes specified reporting requirements on districts. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/20/2012

AB 2231 (Fuentes) - Sidewalks: Repairs

Provides that if a city, county, or city and county has an ordinance in place that requires the local entity to repair sidewalks, a repeal of the ordinance shall become effective only if the repealing ordinance is approved by voters on the measure in a consolidated or general election. Makes these provisions applicable to charter entities. Prohibits such local entities from imposing a fee, charge or assessment, except a voluntary contractual assessment for such repairs, unless the ordinance is repealed. (Fiscal)

STATUS: 8/16/2012 - In Senate Committee on Appropriations. Held in committee.

AMENDED: 6/28/2012

CITY POSITION: OPPOSE

AB 2382 (Gordon) - Innovative Delivery Team Demonstration Program

Requires the State Department of Transportation and the Santa Clara Valley Transportation Authority to enter into a memorandum of understanding to implement the Innovative Delivery Team Demonstration Program that would provide a different business model for the application of advanced technologies with a goal of delivering transportation projects in a more responsive, cost-effective, and efficient manner. Requires the program to be a mechanism for testing innovative approaches to project delivery. (Fiscal)

STATUS: 8/16/2012 - In Senate Committee on Appropriations. Held in committee.

AMENDED: 8/6/2012

CITY POSITION: SUPPORT

AB 2389 (Lowenthal B) - Contractor Disclosure Requirements

Relates to contractor disclosure requirements. Prohibits contractors who enter homes and places of lodging to utilize a uniform that bears the logo of the contracting entity or drive a vehicle with such logo without meeting disclosure requirements. Provides for public awareness of the growing contract workforce through such required disclosures. Specifies these provisions shall not apply if a contracting entity and a contractor are jointly and severally liable for any claims arising out of work performed. (Non-fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/16/2012

AB 2404 (Fuentes) - Global Warming Solutions Act: Local Emission Reduction

Creates the Local Emission Reduction Program pursuant to the Global Warming Solutions Act of 2006, permits moneys pursuant to the market-based compliance mechanisms be available for purposes of carrying out the Act. Requires the State Air Resources Board in coordination with the Strategic Growth Council and other entities to provide local assistance grants to eligible recipients to develop and implement multibenefit greenhouse gas emission reduction projects. (Fiscal)

STATUS: 5/25/2012 – In Assembly Committee on Appropriations. Held in committee.

AMENDED: 5/1/2012

AB 2559 (Buchanan) - Local Government: Pipeline Projects: Approval

Requires a city, county, or city and county to act on an application by a gas corporation that is a public utility for a ministerial pipeline projects permit within a public street or highway or any other public-right-of-way within a specified time period of determining that an application for the project is complete. Provides an exception. (Nonfiscal)

STATUS: 9/23/2012 - Signed by Governor. Chapter 486, 2012, Statutes.

SB 214 (Wolk) - Infrastructure Financing Districts: Repeal Approval

Recasts the provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and bond issuance. Authorizes the legislative body to create the district. Authorizes a newly created public financing authority to adopt the infrastructure financing plan and issue bonds by resolution. Prohibits certain assistance. Authorizes adoption of joint powers agreements with affected taxing entities. Requires reports. Creates a related committee. (Fiscal)

STATUS: 9/29/2012 - Vetoed by Governor.

AMENDED: 8/24/2012

SB 829 (Rubio) - Public Contracts: Project Labor Agreements

Provides that if a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board's authority or discretion to adopt, require, or utilize a of a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, state funding or financial assistance may not be used to support any construction projects awarded by the city. (Fiscal)

STATUS: 4/23/2012 - Signed by Governor. Chapter 11, 2012 Statutes.

SB 878 (DeSaulnier) - Office of the Transportation Inspector General

Creates the Office of the Transportation Inspector General to ensure that all state, regional, and local agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. Provides for funding for the office from federal transportation funds, and other funding to be available in proportion to the activities of the office from the Highway Users Tax Account, and an account from which the high-speed rail may be funded. (Fiscal)

STATUS: 9/30/2012 - Vetoed by Governor.

AMENDED: 8/22/2012

SB 964 (Wright) - State Water Resources Control Board

Provides that the exemption for the adoption of regulations for the issuance, denial or revocation of specified waste discharge requirements and permits shall not apply to any general permits or waivers issued under state law or the federal National Pollutant Discharge Elimination System, thereby requiring the State Water Resources Control Board and the regional water quality control boards to comply with provisions that require the adoption of regulations under those circumstances. (Fiscal)

STATUS: 4/23/2012 - In Senate Committee on Environmental Quality. Failed passage, Reconsideration granted.

AMENDED: 4/9/2012

SB 965 (Wright) - State and Local Government

Relates to the water quality and pollution control. Relates to ex parte communications of members of the state or regional water resources control boards, state or regional board meeting agenda notification in languages other than English, and requiring any state body covered by the Bagley-Keene Open Meeting Act to allot more time for a person testifying at a public meeting that utilizes a translator. (Fiscal)

STATUS: 9/25/2012 - Signed by Governor. Chapter 551, 2012 Statutes.

SB 1161 (Padilla) - Communications: VoIP Communications Services

Prohibits the Public Utilities Commission from regulating Voice over Internet Protocol and Internet Protocol enabled services except as required. Prohibits enforcement of any law or provision that regulates such services, unless expressly required or delegated. Provides that this prohibition does limit the commission's regulation of non-VoIP or other non-IP enabled service and does not affect enforcement of laws that apply to business conduct, the Environmental Quality Act, or a local utility user tax. (Fiscal)

STATUS: 9/28/2012 - Signed by Governor. Chapter 733, 2012 Statutes.

SB 1516 (Leno) - Public Contracts: Bids for Equal Materials or Service

Relates to public works contracts. Requires bid specifications to provide a period of time after the award of the contract for the submission of data substantiating a request for the substitution of an equal item. Allows a solicitation for bids to require submission of data substantiating a request for substitution of an equal item prior to the bid submission deadline under a certain condition.

Requires the proponent of a such item to bear the burden of proof that the item is equal to bid specifications. (Fiscal)

STATUS: 6/18/2012 - In Assembly Committee on Business, Professions and Consumer Protection.

AMENDED: 6/18/2012

SB 1572 (Pavley) - Global Warming Solutions Act of 2006: Investment Fund

Requires a portion of revenues collected by the State Air Resources Board and derived from the auction or sale of cap and trade greenhouse emissions allowances be deposited in the Greenhouse Reduction Account. Provides a portion of the money would go to agencies to fund prescribed projects that meet goals relating to the reduction of such gases. Requires reports. Requires specified agencies to adopt regulations for funding projects. Requires the board to place project information on its Internet Web site. (Fiscal)

STATUS: 8/31/2012 - In Assembly, On Second Reading. File.

AMENDED: 8/31/2012

PUBLIC OUTREACH

- ☐ **Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting.)**
- ☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting.)**
- ☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, and Notice in appropriate newspapers.)**

This document will be posted on the City's website for the October __, 2012 Public Safety, Finance and Strategic Support Committee, where the Council and the public will have the opportunity to comment.

EVALUATION AND FOLLOW-UP

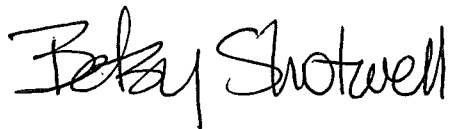
The City Council will be informed as to the status of these measures as part of the regular Intergovernmental Relations legislative updates.

COORDINATION

This memo was coordinated with the City's Legislative Representative in Sacramento and the City Attorney's Office.

POLICY ALIGNMENT

The measures and critical funding issues identified in the memorandum are based on the City of San José's 2012 Legislative Guiding Principles, Priorities and Advocacy Issues adopted by the City Council on December 13, 2011.



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